

**MEMO ENDORSED**

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September 21, 2012

**E-MAIL**

**Abrams\_nysdchambers@nysd.uscourts.gov**

Honorable Judge Ronnie Abrams

Southern District, New York

500 Pearl Street

New York, NY 10007

Re: Adams v. Cushner, M.D.  
Our File No: 687-1015  
Docket No: 10 CV 2773

Dear Honorable Judge Abrams:

The undersigned represents Dr. Michael Cushner and WESTMED Medical Group regarding the above captioned matter. When plaintiff's counsel and I met with you for a conference on August 21, 2012 we were instructed to report the status of this case to the court on September 21, 2012. You may recall that the main outstanding item of discovery at the time of our conference was a physical examination of the plaintiff. There had been a previously scheduled appointment for Mr. Adams but, due to a mix up at the examining physician's office, the physical examination was not conducted.

I have received carrier approval for another physician to conduct the physical examination of the plaintiff in this case. Plaintiff's counsel is currently setting up an appointment for his client. Plaintiff's counsel and I expect that the report of that physical examination will be exchanged within the next 30 days.

At the time of our August 21, 2012 conference the court indicated that we would either be called in for a conference or directed to provide another status report on October

981002.1

**HEIDELL, PITTONI, MURPHY & BACH, LLP**

NEW YORK | CONNECTICUT | WESTCHESTER | LONG ISLAND



21, 2012. Plaintiff's counsel and I await the court's direction in this regard.

RESPECTFULLY SUBMITTED

ANDREW NEUBARDT

A handwritten signature in black ink, appearing to read "AN", written over a horizontal line.

SCOTT SESKIN

A handwritten signature in black ink, appearing to read "Scott Seskin", written over a horizontal line.

cc: ss@frankandseskin.com

*The parties shall submit a joint status letter by  
October 31, 2012*

SO ORDERED:

A handwritten signature in blue ink, appearing to read "RA", written over a horizontal line.

HON. RONNIE ABRAMS  
UNITED STATES DISTRICT JUDGE

*10/2/12*